

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SAMANTHA MARIE RUDOLPH-GUITRON
a.k.a. SAMANTHA RUDOLPH GUITRON
a.k.a. SAMANTHA MARIE RUDOLPH
271 E. 36th Street
San Bernardino, CA 92404

Registered Nurse License No. 569118

Respondent.


Case No. 2009-103

DECISION

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on November 7, 2008

IT IS SO ORDERED this November 7, 2008.



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 EDMUND G. BROWN, Attorney General
of the State of California
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Attorneys for Complainant
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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Stipulated Surrender of
License and Order:

Case No. 2009-103

11 SAMANTHA MARIE RUDOLPH-GUITRON
12 a.k.a., SAMANTHA RUDOLPH GUITRON
a.k.a., SAMANTHA MARIE RUDOLPH
13 271 E. 36th Street
San Bernardino, CA 92404
14

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 Registered Nurse License No. 569118

Respondent.
16

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18 In the interest of a prompt and speedy resolution of this matter, consistent with the
19 public interest and the responsibility of the Board of Registered Nursing (Board), Department of
20 Consumer Affairs, the parties hereby agree to the following Stipulated Surrender of License and
21 Order which will be submitted to the Board for approval and adoption.

22 **PARTIES**

23 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
24 the Board. She brought this action solely in her official capacity and is represented in this matter
25 by Edmund G. Brown Jr., Attorney General of the State of California, by Rene Judkiewicz,
26 Deputy Attorney General.

27 2. Samantha Marie Rudolph-Guitron, also known as Samantha Rudolph
28 Guitron (Respondent), is representing herself in this proceeding and has chosen not to exercise

1 her right to be represented by counsel.

2 3. On or about July 25, 2000, the Board issued Registered Nurse License No.
3 569118 to Respondent. The Registered Nurse License was in full force and effect at all times
4 relevant to the charges brought herein and will expire on June 30, 2008, unless renewed.

5 JURISDICTION

6 4. Section 2751, subdivision (a) of the Business and Professions Code states:
7 "Notwithstanding any other law, the board may, in its discretion, accept the
8 surrender of a license through a stipulated agreement in the absence of a pleading when the
9 ability of a registered nurse to practice nursing safely is impaired due to mental or physical
10 illness."

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, and understands the effects of this
13 Stipulated Surrender of License and Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the
15 right to a hearing; the right to be represented by counsel, at her own expense; the right to
16 confront and cross-examine the witnesses against her; the right to present evidence and to testify
17 on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses
18 and the production of documents; the right to reconsideration and court review of an adverse
19 decision; and all other rights accorded by the California Administrative Procedure Act and other
20 applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
22 each and every right set forth above.

23 CULPABILITY

24 8. Respondent has been diagnosed with depression and generalized anxiety
25 disorder. Respondent agrees that cause exists for discipline and hereby surrenders her Registered
26 Nurse License No. 569118 for the Board's formal acceptance.

27 9. Respondent understands that by signing this stipulation, she enables the
28 Board to accept the surrender of her Registered Nurse License No. 569118, without further

1 process.

2 RESERVATION

3 10. The admissions made by the Respondent herein are only for the purposes
4 of this proceeding, or any other proceedings in which the Board or other professional licensing
5 agency is involved, and shall not be admissible in any other criminal or civil proceeding.

6 CONTINGENCY

7 11. This stipulation shall be subject to approval by the Board. Respondent
8 understands and agrees that counsel for Complainant and the staff of the Board may
9 communicate directly with the Board regarding this stipulation and settlement, without notice to
10 or participation by Respondent. By signing the stipulation, Respondent understands and agrees
11 that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the
12 Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and
13 Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for
14 this paragraph, it shall be inadmissible in any legal action between the parties, and the Board
15 shall not be disqualified from further action by having considered this matter.

16 12. The parties understand and agree that facsimile copies of this Stipulated
17 Surrender of License and Order, including facsimile signatures thereto, shall have the same force
18 and effect as the originals.

19 13. In consideration of the foregoing admissions and stipulations, the parties
20 agree that the Board may, without further notice or formal proceeding, issue and enter the
21 following Order:

22 ORDER

23 IT IS HEREBY ORDERED that Registered Nurse License No. 569118, issued to
24 Respondent, is surrendered and accepted by the Board.

25 1. The surrender of Respondent's Registered Nurse License and the
26 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
27 against Respondent. This stipulation constitutes a record of the discipline and shall become a
28 part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a registered nurse in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board both her wall and pocket license certificate on or before the effective date of the Decision and Order.

Respondent fully understands and agrees that if she ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in this Stipulation shall be deemed to be true, correct, and admitted by Respondent when the Board determines whether to grant or deny the petition.

Should Respondent ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in this Stipulation shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issue or any other proceeding seeking to deny or restrict licensure.

4. Respondent shall not apply for licensure or petition for reinstatement for a period of not less than one year after the effective date of the decision.

5. Any reinstatement proceeding shall be conducted pursuant to Business and Professions Code section 2760.1.

6. Upon seeking reinstatement, it is the responsibility of the former licensee to submit competent evidence of the ability to safely and competently practice as a registered nurse.

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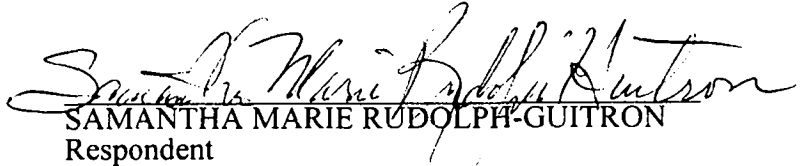
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1 ACCEPTANCE

2 I have carefully read the Stipulated Surrender of License and Order. I understand
3 the stipulation and the effect it will have on my Registered Nursing License. I enter into this
4 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to
5 be bound by the Decision and Order of the Board of Registered Nursing.

6 DATED: 7/25/08.

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8 
9 SAMANTHA MARIE RUDOLPH-GUITRON
Respondent

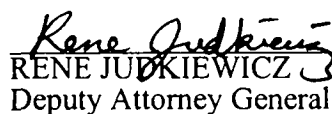
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14 ENDORSEMENT

15 The foregoing Stipulated Surrender of License and Order is hereby respectfully
16 submitted for consideration by the Board of Registered Nursing.

17 DATED: 8/4/08.

18 EDMUND G. BROWN JR., Attorney General
19 of the State of California

20 KAREN B. CHAPPELLE
21 Supervising Deputy Attorney General

22 
23 RENE JUDKIEWICZ
Deputy Attorney General

24 Attorneys for Complainant

25 DOJ Matter ID: LA2006600620
26 60314431.wpd
27 jz(9/26/06)
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